

MINUTES

OF THE

FEBRUARY 14, 2019 REGULAR BUSINESS MEETING



OF THE

OKLAHOMA WORKERS' COMPENSATION COMMISSION

STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE

Notice of this Regular Meeting was filed with the Secretary of State's office on Monday, November 15, 2018 at 4:02 p.m., in compliance with the Open Meeting Act.

The agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

MINUTES OF THE FEBRUARY 14, 2019 REGULAR BUSINESS MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., 2nd floor, Oklahoma City, Oklahoma, on February 14, 2019.

Members present: Chairman Mark Liotta, Commissioner Jordan Russell, and Commissioner Megan Tilly.

Others Present: Executive Director Hopper Smith, WCC; Sarah Greenwalt, WCC; Dana Esparza, WCC; Dr. Jay Cannon, WCC; and James Lawson, WCC.

Chairman Liotta expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum. The meeting was called to order at approximately 1:30 p.m.

Approval of Minutes

Chairman Liotta presented the minutes of the January 10, 2019 and February 6, 2019 public meetings for approval.

Motion: Commissioner Tilly moved to approve the minutes of the January 10, 2019 and February 6, 2019 public meetings.

Second: Commissioner Russell

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

1. Discussion and Consideration of Reducing the Security Deposit of Yaffe Companies, a Former Own Risk Employer, Permit #11794

Pursuant to Commission Rule 810:25-9-19, a security deposit posted with the Commission as required by Commission Rule 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance.

A security deposit may be reduced or released at the Commission's discretion after the two-year waiting period upon application by the employer and submission of current financial statements and workers' compensation loss runs. The Commission considered reducing the security deposit of Yaffe Companies.

James Lawson was recognized, reported, gave his recommendation and responded to questions of the Commissioners.

Motion: Commissioner Russell moved to table this agenda item in order to further review documents for this former self-insured.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

2. Proposed Adoption of the CaseOK System as the Manner in which Applicants Submit Own Risk, Group Self-Insurance, and Third Party Administrator Permit Applications

OAC 810:25-9-1(a) (governing own risk employer permit applications), OAC 810:25-11-1(a) (governing group self-insurance permit applications) and OAC 810:25-13-1(a) (governing third party administrator permit applications) require applications to be submitted in a manner prescribed or approved by the Commission. The Commission considered prescribing use of the CaseOk system as the manner in which applicants submit applications for such permits.

Sarah Greenwalt was recognized, reported, and responded to questions of the Commissioners.

Motion: Commissioner Russell moved to adopt the CaseOK System as proposed.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

3. Proposed Adoption of a Standard Framework for Submitting Proof of Coverage Data, and related IAIABC Tables

OAC 810:25-3-1 requires any insurer issuing a policy that provides benefits pursuant to the AWCA, or a group self-insurance association approved by the Commission, to report notices of insurance coverage and cancellation with the Commission using the National Council on Compensation Insurance (“NCCI”) proof of coverage system. The Commissioners considered adopting the International Association of Industrial Accident Boards and Commissions’ (“IAIABC”) format—a format used by most States—for submission of proof of coverage data and related IAIABC tables.

Sarah Greenwalt was recognized, reported and responded to questions of the Commissioners.

Motion: Commissioner Russell moved to adopt the IAIABC Framework for Submitting Proof of Coverage Data, and related IAIABC Tables as proposed.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly

The motion carried.

4. Discussion and Consideration of Current Commission Policies

The Commission discussed and considered adopting and/or modifying the following policies:

- a) WCC-21: Dress Code Policy; and
- b) WCC-22: Office Closings or Reduction of Services Policy.

Motion: Commissioner Tilly moved to approve WCC-22: Office Closings or Reduction of Services Policy as amended.

Second: Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried.

Motion: Commissioner Tilly moved to approve WCC-21: Dress Code Policy as presented.

Second: Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried.

5. Consent Agenda for Travel Vouchers Currently Outstanding:

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers. All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today’s meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Motion: Commissioner Russell moved to approve the Consent Agenda as presented.

Second: Commissioner Tilly.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried.

6. Announcements

The Commission’s next regularly scheduled business meeting is on March 14, 2019. The Commission’s next regularly scheduled appeals meeting is on February 22, 2019.

ADJOURNMENT.....Chairman Mark Liotta

Motion: Commissioner Tilly moved to adjourn.

Second: Commissioner Russell.

Those voting aye: Chairman Liotta, Commissioner Russell and Commissioner Tilly.

The motion carried. The meeting adjourned.